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REMARKS

Claims 1, 2, 4-10, 14-19 and 21-25 are pending in the Application. Claims 3, 11-13 and 20 have been canceled. Claims 1, 10, and 18 are independent claims

Claim Rejections – 35 USC § 103

The Patent Office rejected claims 1, 2, 4-10, 14-19 and 21-25 under 35 U.S.C. § 103(a) as being unpatentable over Epps ("Epps", U.S. Patent No. 5,034,947) in view of Laursen et al. ("Laursen", U.S. Patent No. 6,847,618). Applicant respectfully traverses these rejections.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

As to Claims 1, 10, and 18; the Patent Office cited Epps as disclosing "a whisper conferencing system in packet network comprising receiving inputs from a number of participants in the conference session (ref. 5, fig. 10); determining a number of prominent inputs from the received inputs (ref. 1010, fig. 10); combining the determined prominent inputs into a first output stream suitable for being sent to at least one participant of the number of participants in the conferencing session (sum circuit 1040, fig. 10); and combining determined prominent inputs into a second output stream for an originating participant of a prominent input of the determined number of prominent inputs, the second output stream not including the originating participant's input (ref. 1040, figs. 10 & 11)." The Patent Office cited Laursen as teaching "the operation of a distributed conference bridge of fig. 10 in establishing a conference call, in which at step 1320, audio source 1040 determines a number of active speakers based on the energy monitored in step 1310, and any number of active speakers can be selected (figs. 13A-C)."

Epps does not disclose a conferencing system in packet network comprising receiving inputs from a number of participants in the conference session; determining a number of

prominent inputs from the received inputs; combining the determined prominent inputs into a first output stream suitable for being sent to at least one participant of the number of participants in the conferencing session; and combining determined prominent inputs into a second output stream for an originating participant of a prominent input of the determined number of prominent inputs, the second output stream not including the originating participant's input. In the cited sections, Epps discloses a conferencing system in a circuit network which allows conference participants to not hear their own voices and to engage in private sub-conferences. The network disclosed in Epps is circuit switched not packet switched. The disclosure in Epps is inapplicable to a packetized network. Further, Epps does not determine prominent inputs from the received inputs or combining the prominent inputs into a first and second output stream. Thus, Epps does not disclose a conferencing system in packet network comprising receiving inputs from a number of participants in the conference session; determining a number of prominent inputs from the received inputs; combining the determined prominent inputs into a first output stream suitable for being sent to at least one participant of the number of participants in the conferencing session; and combining determined prominent inputs into a second output stream for an originating participant of a prominent input of the determined number of prominent inputs, the second output stream not including the originating participant's input.

In the cited sections, Laursen teaches implementation of a conferencing system in a packet switched network. However, Laursen does not determine prominent inputs from the received inputs or combining the prominent inputs into a first and second output stream. Laursen monitors the energy of the incoming audio streams of the participants and selects the audio streams which have the most energy. Laursen merely uses the audio streams of the loudest speakers. The present invention determines prominent inputs. Inputs can be classified as prominent based on signal strength, clarity of voice in the signal, clarity of the signal overall, or the like. Laursen does not determine prominent inputs from the received inputs or combining the prominent inputs into a first and second output stream.

Epps and Laursen, separately or combined, do not teach or suggest all of the claimed limitations. Thus, at least based on these reasons, independent Claims 1, 10, and 18 are nonobvious under 35 U.S.C. § 103. Claims 2 and 4-9 depend from Claim 1 and are therefore allowable due to their dependence upon Claim 1. Claims 14-17 depend from Claim 10 and are

therefore allowable due to their dependence upon Claim 10. Claims 19 and 21-25 depend from Claim 18 and are therefore allowable due to their dependence upon Claim 18.

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CONCLUSION

In view of the foregoing, it is submitted that the claims are in condition for allowance. Issuance of the present application as a patent is therefore solicited.

It is believed no fee is due at this time. However, should the Examiner disagree, please charge the undersigned's Deposit Account No. 19-2179. Please also charge this deposit account, at any time during the pendency of this application, for any additional fees required, or credit any overpayment, pursuant to 37 CFR §1.25.

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